

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

JOHN COREY FRASER, JOSHUA CLAY
MCCOY, TYLER DALTON MCGRATH,
IAN FLETCHER SHACKLEY, and
JUSTIN TIMOTHY FRASER, on behalf
of themselves and all others
similarly situated as a Class,
Plaintiffs,

v.

No. 3:22-cv-410

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES, STEVEN
DETTELBACH, and MERRICK GARLAND,
Defendants.

FINAL ORDER OF INJUNCTION

As explained in the accompanying MEMORANDUM OPINION, the Court finds that:

(1) Plaintiffs, having prevailed on the merits of the PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (ECF No. 28), have secured actual success on the merits of COUNT I of the FIRST AMENDED COMPLAINT; and

(2) Plaintiffs have proved that they have suffered irreparable injury in that the challenged statutory and regulatory regime has deprived, and continues to deprive, Plaintiffs of their right to keep and bear arms as confirmed and secured by the Second Amendment to the United States Constitution; and

(3) Plaintiffs have proved that remedies available at law are inadequate to compensate for the irreparable injury that they have proved; and

(4) Plaintiffs have proved that, considering the balance of hardships between Plaintiffs and Defendants, a remedy in equity is warranted; and

(5) Plaintiffs have proved that the public interest would not be disserved by a permanent injunction.

And, having so found, it is hereby ORDERED that:

Except in the Western District of Louisiana¹ and the Northern District of West Virginia,² federal Defendants, their officers, agents, employees, and all persons in active concert or participation with them, are hereby permanently enjoined from enforcing 18 U.S.C. §§ 922(b)(1), (c) and any derivative regulations, to include 27 C.F.R. §§ 478.99(b)(1), 478.102, 478.124(a), (c)(1) (5), (f), and 478.96(b) in any manner that obstructs, hinders, prohibits, frustrates, bars, or prevents the Plaintiffs and members of the Class from purchasing handguns or ammunition from federally licensed firearm dealers due to their age.

¹ The Western District of Louisiana is comprised of the following parishes in the State of Louisiana: Acadia, Allen, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, Concordia, Jefferson Davis, De Soto, East Carroll, Evangeline, Franklin, Grant, Iberia, Jackson, Lafayette, La Salle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Rapides, Red River, Richland, Sabine, Saint Landry, Saint Martin, Saint Mary, Tensas, Union, Vermilion, Vernon, Webster, West Carroll, and Winn.

² The Northern District of West Virginia is comprised of the following counties in the State of West Virginia: Barbour, Berkeley, Braxton, Brooke, Calhoun, Doddridge, Gilmer, Grant, Hampshire, Hancock, Hardy, Harrison, Jefferson, Lewis, Marion, Marshall, Mineral, Monongalia, Morgan, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Webster, and Wetzel.

It is hereby ORDERED that, by September 8, 2023, counsel for the Defendants shall file a pleading certifying that this FINAL ORDER OF INJUNCTION has been delivered to the named Defendants who, considering that the DEFENDANTS' MOTION FOR A STAY OF INJUNCTION PENDING APPEAL (ECF No. 63) will be granted by separate ORDER, shall not be required to deliver copies of this FINAL ORDER OF INJUNCTION to their officers, agents, employees, or persons in active concert or in participation with them.

It is so ORDERED.

/s/

REP

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: August 30, 2023

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